

7097. Adulteration and misbranding of mustard. U. S. * * * v. 70 Barrels of a Product Purporting to be Prepared Mustard, more or less * * *. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 9692. I. S. No. 15458-r. S. No. E-1232.)

On February 10, 1919, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 70 barrels, more or less, of a product purporting to be prepared mustard, consigned on November 25, 1918, remaining unsold in the original unbroken packages at Baltimore, Md., alleging that the article had been shipped by Dawson Bros. Mfg. Co., Lynchburg, Va., and transported from the State of Virginia into the State of Maryland, and charging adulteration and misbranding in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that foreign substances, to wit, wheat flour and turmeric, had been mixed and packed therewith so as to reduce and lower its quality and strength, and had been substituted in whole or in part for the article, and had been mixed and packed with turmeric in a manner whereby inferiority was concealed.

Misbranding of the article was alleged for the reason that the statement, "Prepared Mustard," borne on the labels of the barrels, was false and misleading and deceived and misled the purchaser, and for the further reason that it was an imitation of, and was offered for sale under the distinctive name of, another article.

On April 15, 1919, the Whiteford Mfg. Co., Baltimore, Md., claimant, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be released to said claimant upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$250, in conformity with section 10 of the act.

E. D. BALL,

Acting Secretary of Agriculture.

7098. Adulteration and misbranding of olive oil. U. S. * * * v. 5 Cases of Alleged Olive Oil. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 9693. I. S. No. 7054-r. S. No. C-1059.)

On February 19, 1919, the United States attorney for the Western District of Michigan, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 5 cases of alleged olive oil, remaining unsold in the original unbroken packages at Grand Rapids, Mich., alleging that the article had been shipped on or about October 10, 1918, by the Italo-American Distilling Co., Chicago, Ill., and transported from the State of Illinois into the State of Michigan, and charging adulteration and misbranding in violation of the Food and Drugs Act, as amended. The article was labeled and marked as follows: "Half Full Gallon Net. Italy. Pure Olive Oil," and "Olive Oil, Phillip Berio and C. Lucca," and also with design of medal, and the statement, "Phillip Berio and C. Lucca, Tuscany."

Adulteration of the article was alleged in the libel for the reason that certain other substances, to wit, peanut oil, cottonseed oil, and corn oil, had been mixed therewith so as to reduce, lower, and injuriously affect its quality and strength, and had been substituted wholly or in part for pure olive oil, which the article purported to be.

Misbranding of the article was alleged for the reason that the cans bore false and misleading statements, designs, and devices regarding the article,